

Sarah J. Crow (Texas State Bar No. 24072518)
AKIN GUMP STRAUSS HAUER & FELD LLP
1700 Pacific Avenue, Suite 4100
Dallas, Texas 75201
Telephone: (214) 969-4278
Facsimile: (214) 969-4343
sjcrow@akingump.com

ATTORNEYS FOR PREMIUM ASSIGNMENT CORPORATION

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	Chapter 11
	§	
BUFFET PARTNERS, L.P.	§	Case No. 14-30699 (HDH)
	§	
Debtor.	§	

**MOTION FOR SETTING AND
REQUEST FOR EXPEDITED HEARING ON MOTION OF
PREMIUM ASSIGNMENT CORPORATION FOR RELIEF FROM
THE AUTOMATIC STAY AND REQUEST FOR ADEQUATE PROTECTION**

1. Premium Assignment Corporation (“*PAC*”) hereby requests that a hearing be set on the Motion of Premium Assignment Corporation for Relief from the Automatic Stay and Request for Adequate Protection (the “*Motion*”) on the next scheduled omnibus hearing date of **March 19, 2014 at 2:00 p.m. (CST)**. Scheduling a hearing by such date is necessary for PAC to expeditiously exercise its rights under state law, in accordance with Texas Insurance Code Chapter 651, to cancel insurance policies financed by PAC for the benefit of Buffet Partners, LP. (the “*Debtor*”) and collect unearned premiums on account of the same, because the value of PAC’s collateral is irreparably declining and is not adequately protected.

2. Notice of the proposed expedited hearing will be provided to Debtor and all parties entitled to receive notice of hearings via the Court’s ECF system and via regular first class mail. Such notice is sufficient under the circumstances, and no further notice is necessary.

3. A hearing was not requested earlier because the Debtor only recently defaulted under the terms of the relevant premium finance agreement, and a consensual resolution has not been reached as of the date hereof.

Dated: March 7, 2014.

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Sarah J. Crow

Sarah J. Crow (Texas State Bar No. 24072518)
1700 Pacific Avenue, Suite 4100
Dallas, Texas 75201
Telephone: (214) 969-4278
Facsimile: (214) 969-4343
sjcrow@akingump.com

ATTORNEYS FOR PREMIUM ASSIGNMENT
CORPORATION

CERTIFICATE OF CONFERENCE

I hereby certify that on March 4, 2014, I conferred with the Debtor's counsel in order to reach a consensual resolution to the relief sought in the Motion. In addition, on March 5 and 6, 2014, I attempted to contact the Debtor's counsel to reach a consensual resolution regarding PAC's request for an expedited hearing. As of the date of the filing of the foregoing document, no such resolution has been reached.

/s/ Sarah J. Crow
Sarah J. Crow

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this motion was served on the parties entitled to receive service through the Court's Electronic Case Filing System and via United States mail, postage prepaid, to the parties listed on the attached Service List, and specifically on the following parties via email, on this, the 7th day of March 2014.

Debtor's Counsel

John E. Mitchell
John.Mitchell@bakermckenzie.com

Rosa A. Shirley
Rosa.Shirley@bakermckenzie.com

/s/ Sarah J. Crow
Sarah J. Crow

SERVICE LIST

SERVED VIA REGULAR MAIL

Debtors

Barry M. Barron, Sr.
Chief Executive Officer
Buffet G.P., Inc.
2701 E. Plano Parkway, Suite 200
Plano, TX 75074
bbarron@furrs.net

Lin Wang
Senior Managing director
Chatham Capital
400 Cälleria Parkway, Suite 1950
Atlanta, GA 30339

Proposed Counsel for the Debtors

John E. Mitchell
Rosa A. Shirley
Baker & McKenzie LLP
2300 Trammell Crow Center
2001 Ross Avenue
Dallas, TX 75201

Dennis J. Diemer
General Counsel
Maxus Capital Group, LLC
31300 Bainbridge Road
Cleveland, OH 44139

Office of the United States Trustee

Office of the United States Trustee
Attn: Erin Marie Schmidt
1100 Commerce Street, Room 976
Dallas, TX 75242

Scot Dykema
CFO
The Richards Group Inc.
8750 North Central Expressway
Dallas, TX 75231

**Proposed Financial Advisor for the
Debtors**

Dawn Ragan
Bridgepoint Consulting, LLC
1700 Commerce Street, Suite 810
Dallas, TX 75201
dragan@bridgepointconsulting.com

Seth Schnittman
National Sales Manager
Local & Western of Texas, Inc.
5445 La Sierra, Suite 100
Dallas, TX 75231

Tony Wood
Sales Mgr
Papercraft Southwest
2005 Valley View Lane, Ste. 120
Dallas, TX 75234

Additional Notice Parties

Internal Revenue Service
1100 Commerce St., Rm. 121
Dallas, TX 75242

Christopher Tessitore
General Counsel
National Retail Properties, LP
450 S. Orange Avenue, Suite 900
Orlando, FL 32801

Todd Bass
National Account Sales Manager
Pepsi-Cola
4610 S. Ulster St., Ste 200
Denver, CO 80237

Ryan Epstein
Director-Global Principal Investments
Lynx Associates, LP
NC1-002-18-16
Charlotte, NC 28255

Ashvin Patel
Owner
SAMP 2 L.L.C.
1604 Chasewood Drive
Austin, TX 78727

Kent Kidwell
Asst. VP Inst. Area Sales
Ecolab Inc.
4855 International Blvd., Ste. 103
Frederick, MD 21703

Gary Donofrio
Senior Client Executive
Wells Fargo Insurance Services
5151 Belt Line Road, Suite 200
Dallas, TX 75254

Rafi Rubin
Sales
Rubin Sales
2111 11th Avenue W
Seattle, WA 98119

Sheri Sunday Sales Account Executive
QVD USA LLC
11235 S.E. 6th St., Suite 140
Bellevue, WA 98004

Cindy Dip
Portfolio Controller
ARC Café USA 001, LLC
200 Dryden Road, Suite 1100
Dresher, PA 19025

Jane Bohley
Director of Nat'l Accounts
Mission Foods
5125 West Scott Drive
Greenwood, IN 46142

Bob Ford
Owner Okeene Milling co.
P.O. Box 1000
Okeene, OK 73763

Mary Sanderson
Key Account Executive
Valassis Drive
600 North Cockrell Hill Road
Dallas, TX 75211

Bob Ashmun, VP Sales
c/o Delores Johnson
National Frozen Foods Corporation
1600 Fairview Ave E, Suite 200
Seattle, WA 98102

Brenna Wadleigh
President
N3 335 Plano TX LLC
620 E. Southlake Blvd.
Southlake, TX 76092

Betty Laxton
Ntl Sales Mgr.
Pacific Cheese Co., Inc.
PO Box 56598 / 21090 Cabot Blvd.
Hayward, CA 94545

JoAnn McGuinness
President
Inland Diversified Dallas Wheatland, LLC
Bldg. #65092, 2901 Buttefield Rd.
Oakbrook, IL 60523

Inland Diversified Dallas Wheatland, L.L.C.
c/o Kevin M. Newman
Menter, Rudin & Trivelpiece, P.C.
308 Maltbie Street, Suite 200
Syracuse, NY 13204-1498

SERVED VIA ECF NOTICE

Proposed Counsel for the Debtors:

John E. Mitchell
Rosa A. Shirley
Baker & McKenzie LLP
2300 Trammell Crow Center
2001 Ross Avenue
Dallas, TX 75201
john.mitchell@bakermckenzie.com
rosa.shirley@bakermckenzie.com

United States Trustee:

Erin Marie Schmidt
Office of the U.S. Trustee
1100 Commerce Street, Room 976
Dallas, TX 75242
erin.schmidt2@usdoj.gov

Proposed Counsel for the Official Committee of Unsecured Creditors of Buffet Partners, L.P

Deborah M. Perry
Kevin M. Lippman
Munsch Hardt Opf & Harr, P.C.
500 N. Akard St., Suite 3800
Dallas, TX 75201-6659
dperry@munsch.com
klippman@munsch.com

Jeffrey N. Pomerantz
Pachulski Stang Ziehl & Jones LLP
10100 Santa Monica Blvd., 13th Floor
Los Angeles, CA 90067
jpomerantz@pszjlw.com

Bradford J. Sandler
Pachulski Stang Ziehl & Jones LLP
919 N. Market St., 17th Floor
P.O. Box 8705
Wilmington, DE 19899-8705
bsandler@pszjlw.com

Chatham Credit Management III LLC
c/o Bryan Glover
Burr & Forman LLP
171 17th Street, NW, Suite 1100
Atlanta, GA 30363
bglover@burr.com

Chatham Credit Management III LLC
c/o Joseph M. Coleman and Jason Binford
Kane Russell Coleman & Logan PC
1601 Elm Street, Suite 3700
Dallas, TX 75201
jcoleman@krcl.com
jbinford@krcl.com

The Richards Group
c/o Jamie R. Welton and Deborah Deitsch-Perez
Lackey Hershman, L.L.P.
3102 Oak Lawn Avenue, Suite 777
Dallas, TX 75219
jrw@lhlaw.net
ddp@lhlaw.net

Tarrant County, Dallas County
c/o Elizabeth Weller
Linebarger Goggan Blair & Sampson LLP
2777 N. Stemmons Fwy., Suite 1000
Dallas, TX 75201
Dallas.bankruptcy@publicans.com

Hildago Co., Hidalgo Co. Drainage Dist #1 And McAllen ISD
c/o John T. Banks
Perdue, Brandon, Fielder, Collins & Mott, LLP
3301 Northland Drive, Suite 505
Austin, TX 78731
jbanks@pbfc.com

Bexar County and Ector CAD
c/o David G. Aelvoet
Linebarger Goggan Blair & Sampson, LLP
711 Navarro St., Suite 300
San Antonio, TX 78205
Sanantonio.bankruptcy@publicans.com

National Retail Properties
c/o Robert L. LeHane, Esq. and Gilbert R. Saydah Jr., Esq.
Kelley Drye & Warren LLP
101 Park Avenue
New York, NY 10178
KDWBankruptcyDepartment@kelleydrye.com

Richardson ISD, Arlington ISD
c/o Elizabeth Banda Calvo
Perdue, Brandon, Fielder, Collins & Mott, LLP
P. O. Box 13430
Arlington, TX 76094-0430
ebcalvo@pbfc.com

Oklahoma Gas & Electric Co.
c/o Stephanie G. Houle
OGE Energy Corp.
321 N. Harvey
Oklahoma City, OK 73102
houlesg@oge.com

Lynx Associates, L.P.
c/o John R. Hardin and Amanda N. Pennington
K&L Gates LLP
1717 Main St., Suite 2800
Dallas, TX 75201
John.harding@klgates.com
Amanda.pennington@klgates.com

SAMP 2, L.L.C.
c/o Barbara M. Barron
Lynn Saarinen
Barron & Newburger, P.C.
1212 Guadalupe St., Suite 104
Austin, TX 78701
bbarron@bn-lawyers.com
LSaarinen@bn-lawyers.com

Collin County Tax Assessor/Collector
c/o David B. McCall
Gay, McCall, Isaacks, Gordon & Roberts,
P.C.
777 East 15th St.
Plano, TX 75074
bankruptcy@ntexas-attorneys.com

Midland Central Appraisal District
c/o Lee Gordon
McCreary, Veselka, Bragg & Allen, P.C.
P.O. Box 1269
Round Rock, TX 78680
lgordon@mvalaw.com

Boston & Mays, LLC
c/o Conrad D. Hester
Brown & Fortunato, P.C.
905 S. Fillmore, Suite 400
Amarillo, TX 79101
cdhester@bf-law.com

Cameron County, South Texas ISD, South
Texas College and City of McAllen
c/o Diane W. Sanders
Linebarger Goggan Blair & Sampson, LLP
P.O. Box 17428
Austin, TX 78760-7428
Austin.bankruptcy@publicans.com

505 Cordova, LLC
c/o Nancy H. Hamren
Coats, Rose, Yale, Ryman & Lee, P.C.
3 E. Greenway Plaza, Suite 2000
Houston, TX 77046
nhamren@coatsrose.com

Kendrick Oil Company
c/o John Massouh
Spouse Shrader Smith P.C.
701 S. taylor, Suite 500
P.O. Box 15009
Amarillo, TX 79105-5008
Bankruptcy.docs3@sprouselaw.com

Ecolab Inc.
c/o Samuel C. Wisotskey
Kohner, Mann & Kailas, S.C.
Washington Building
Barnabas Business Center
4650 N. Port Washington Rd.
Milwaukee, WI 53212-1059
swisotzkey@kmksc.com

Dot Foods, Inc.
c/o Ashely M. Chan
Hangley Aronchick Segal Pudlin & Schiller
One Logan Square, 27th Floor
Philadelphia, PA 19103
achan@hangley.com

GE Capital Retail Bank
c/o Recovery Management Systems
Corporation
25 SE 2nd Avenue, Suite 1120
Miami, FL 33131-1605
claims@recoverycorp.com

Mark W. Stout
Padfield & Stout, L.L.P.
421 W. Third Street, Suite 910
Fort Worth, TX 76102
ms@livepad.com

Jay W. Hurst
Assistant Attorney General
Bankruptcy & Collection Division
P.O. Box 12548
Austin, TX 78711-2548
Jay.hurst@texasattorneygeneral.gov

John P. Dillman
Linebarger Goggan Blair & Sampson, LLP
P.O. Box 3064
Houston, TX 77253-3064
Houston_bankruptcy@publicans.com

R. Brandon Bundren
Duane Morris LLP
1330 Post Oak Boulevard, Suite 800
Houston, TX 77056-3166
rbbundren@duanemorris.com

Spring Independent School District
c/o Yolanda M. Humphrey
Perdue, Brandon, Fielder, Collins & Mott,
L.L.P.
1235 North Loop West, Suite 600
Houston, TX 77008
houbank@pbfcml.com

Spring Independent School District
c/o Owen M. Sonik
Perdue, Brandon, Fielder, Collins & Mott,
L.L.P.
1235 North Loop West, Suite 600
Houston, TX 77008
houbank@pbfcml.com

William Thomas McLain
Reagan McLain & Hatch, LLP
6060 North Central Expressway, Suite 690
Dallas, TX 75206
wtm@reaganmclain.com

Dax D. Voss
Field, Manning, Stone, Hawthorne &
Aycock, P.C.
A Professional Corporation
2112 Indiana Avenue
Lubbock, TX 79410
dvoss@lubbocklawfirm.com

Henry W. Simon, Jr.
Robert A. Simon
Barlow Garsek & Simon, LLP
920 Foch Street
Fort Worth, TX 76107
hsimon@bgsfirm.com
rsimon@bgsfirm.com

Joseph D. Frank
Jeremy C. Kleinman
Reed Heiligman
FrankGecker LLP
325 North LaSalle Street, Suite 625
Chicago, IL 60654
jfrank@fgllp.com
jkleinman@fgllp.com
rheiligman@fgllp.com

Jonathan S. Covin
Shayla Friesen
Wick Phillips Gould & Martin, LLP
2100 Ross Avenue, Suite 950
Dallas, TX 75201
Jonathan.covin@wickphillips.com
Shayla.friesen@wickphillips.com